

PROB 12C
(7/93)

United States District Court

for

WESTERN DISTRICT OF TEXAS - WACO

APR 21 2009
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature] DEPUTY CLERK

Petition for Warrant or Summons for Offender Under SupervisionName of Offender: **Banks, Elbert III**Case Number: **W08-500M**Name of Sentencing Judicial Officer: **Jeffrey C. Manske, United States Magistrate Judge**Date of Original Sentence: **February 6, 2009**Original Offense: **Theft of Private Property- 18 U.S.C. 661**Original Sentence: **45 days imprisonment, one year Supervised Release, \$25 special assessment**Type of Supervision: **Supervised Release**Date Supervision Commenced: **March 21, 2009**Maximum Term of Imprisonment Upon Revocation: **One year**Assistant United States Attorney: **SAUSA Tim Minter**Defense Attorney: **Lynn Libersky****PETITIONING THE COURT** To issue a warrant To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number 1:

Nature of Noncompliance: The defendant violated Mandatory Condition Number 1; in that, on or about March 25, 2009, in Coryell County, Texas, the defendant operated a motor vehicle in a public place while intoxicated, in violation of the Texas Penal Code § 49.04.

Violation Number 2:

Nature of Noncompliance: The defendant violated Standard Condition Number 11; in that, the defendant failed to notify U.S. Probation Officer Diane Thomas within 72 hours of being arrested by an officer of the Copperas Cove Police Department in Coryell County, Texas, on or about March 25, 2009, for the offense of Driving While Intoxicated.

Violation Number 3:

Nature of Noncompliance: The defendant violated Standard Condition Number 2; in that, the defendant was not truthful when completing the Probation Form 8, Monthly Supervision Report, which he submitted on April 8, 2009. In the report the defendant reported no contact with law enforcement during the month of March 2009, when in fact the defendant was arrested by the Copperas Cove, Texas Police Department on March 25, 2009.

Petition for Warrant or Summons for
Offender Under Supervision

Approved by:

KEVIN O. FARLEY
Supervising U. S. Probation Officer

Respectfully submitted,

DIANE R. THOMAS
United States Probation Officer
Date: April 15, 2009

THE COURT ORDERS:

- No Action
- The issuance of a warrant.
- The issuance of a summons.
- Other

JEFFREY C. MANSKE
United States Magistrate Judge

Date